

# CKA | MEDIATION & ARBITRATION

CHRISTOPHER K. ANNUNZIATA, ESQ.

chris@ckamediation.com

404-551-3643

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## Skills Summary

Full-time civil and domestic mediator and arbitrator registered with the Georgia Office of Dispute Resolution and trained in facilitative and evaluative mediation techniques. Mediates cases on the State and Superior Court level for court-connected ADR programs in Bartow, Cobb, Clayton, Douglas, Gwinnett, and Paulding counties, as well as privately-referred cases pending in other Courts. Prior to becoming a mediator, had more than a decade of experience as a civil litigator working as a solo practitioner, with a litigation boutique and with a large international firm.

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## Education

<b>Fordham University School of Law</b>	May 1996	J.D.	GPA 3.2 (top 25%)
<b>Georgia Institute of Technology</b>	June 1993	B.S. with Honors	GPA 3.3

### **Training:**

Henning Mediation	Arbitration Training	June 2009
Dr. Susan Raines	Domestic Mediation Training	June 2008
Henning Mediation	Civil Mediation Training	April 2007

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## Mediation Experience

### Registrations

#### **Georgia Office of Dispute Resolution :**

Arbitration - 2009  
Domestic Mediation - 2008  
Civil Mediation – 2007

#### **Court-Connected Programs**

- Clayton County – Magistrate, State and Superior Courts
- Cobb Judicial Circuit – Magistrate, State and Superior Courts
- Gwinnett Judicial Circuit - State and Superior Courts
- Sixth Judicial District – Fayette, Spalding and Henry counties
- Seventh Judicial District – Bartow, Douglas, Paulding counties

#### **Special Master**

- **Superior Court of Fulton County, Judge T. Jackson Bedford.** Rendered advisory opinion and recommendation to the Court in a complex case billing dispute between a health service provider and the Department of Community Health involving more than 2000 allegedly unpaid claims and \$300,000 in claimed damages.

## Representative Mediation Matters

Primary areas of practice include: Family Law, Personal Injury, and Business Litigation. Confidentiality restrictions prevent disclosure of the details of particular cases.

References and testimonials from participating parties and/or counsel can be found on my website: [www.ckamediation.com](http://www.ckamediation.com).

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## Professional History

- CKA Mediation and Arbitration Services, LLC – November 2006 to Present
- Lord, Bissell and Brook, LLP - August 2004 to November 2006
- Sole Practitioner - January 2001 to August 2004
- Stokes, Lazarus and Carmichael, LLP - November 1999 to January 2001
- Chambers, Mabry, McClelland & Brooks, LLP - June 1998 to November 1999

## Representative Litigation Matters

### Business Litigation Claims:

- Successfully arbitrated post-sale dispute over earn-out provision - client asserted that it reached its EBITDA target and buyer refused to pay additional compensation;
- Prosecuted claim against former executive for breach of employment agreement, misappropriation of trade secrets and improper disclosure of confidential information;
- Obtained civil judgment against office manager/accounts payable clerk for embezzlement of over \$600,000.00 of company funds;
- Defended regional bank trustee against various claims arising out of alleged failure to diversify trust assets and alleged improper distribution of trust assets;
- Represented medical practice in breach of contract and restrictive covenant claim against former doctor-employee who established competing practice within restricted area.

### Employment Discrimination, Harassment and Civil Rights Claims:

- Obtained early dismissal of questionable claims of sexual harassment and retaliation after investigation revealed substantial evidence that claimants were terminated for cause and no harassment had occurred;
- Defended family-owned business against claims of negligent retention, sexual harassment and wrongful termination – claimant could not produce one witness to support claims despite open work space in which alleged acts should have been seen by many co-workers;
- Successfully defended owner of private senior housing facility against claim for civil rights violations under the Fair Housing Act - tenant was asked to neuter his dog, as required by established, facially neutral policy.

### First-Party Insurance Coverage Disputes:

- Managed claims trust fund to ensure regular and comprehensive claims reporting and compliance with state insurance regulations for more than \$80 million in property and casualty claims arising out of Hurricane Ivan;
- Investigated questionable invoices submitted to insurer by key vendor and negotiated commercial settlement saving insurer more than \$300,000;
- Drafted coverage opinion analyzing business interruption claim for loss of tourist traffic for major New Orleans hotel operator in wake of Hurricane Katrina;
- Counseled professional liability insurer on potential defenses to coverage for five wrongful death claims against doctor where doctor made material misrepresentations on application and renewal forms.

### Tort Claims:

- Tried six jury trials to successful verdicts for clients (three as first chair and three as second chair) including motor vehicle accident claims and property damage claims;
- Obtained defense verdict for veterinary clinic in three bench trials in which owners of deceased pets alleged professional negligence;
- Drafted brief persuading Court of Appeals to reverse trial court and enter judgment in favor of parents accused of wrongful supervision of their sixteen year-old son;
- Drafted successful motion for summary judgment and appellate brief granting dismissal of claims for personal injuries and products liability against seller of used ATV;
- Successfully persuaded court to deny defendant's Motion for Summary Judgment in products liability subrogation claim for failure of helicopter gearbox after only 8 hours of flight time;
- Represented aviation maintenance company in wrongful death action arising out of crash of single engine aircraft due to pilot error (plaintiff claimed equipment failure).